No. 6 March Senun 1938 IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PHANSYLVANIA PETITION FOR APPOINTMENT OF VIEWERS, AND ORDER Filed: June 8, 193 d LAW OFFICES OF A CONTRACT KNILLS EBENSBURG, PA.

### PETITION FOR APPOINTMENT OF VIEWERS.

To the Honorable, the Judges of the Court of Quarter Sessions.

of Cambria County, Pennsylvania.

The Petition of the undersigned Citizens and Supervisors of the Township of Cambria, Cambria County, Pennsylvania, respect-fully represent:

That they labor under inconvenience for want of a public of road in said Township of Cambria, between the terminii herein set forth, viz: Beginning on the improved Highway leading from Ebensburg to Carrolltown, at a point on said Ebensburg - Carrolltown road located by measuring along said highway from the intersection of Julian Street with Highland Avenue; in the Borough of Ebensburg; in a westerly and northerly direction eight thousand five hundred eight feet, to the north easterly termini of said proposed new road, and leading from thence in a general south westerly direction for approximately one and one tenth mile to a point on the Benjamin Franklin Highway; being the south westerly termini of the proposednew road; said point of ending being located by measuring eastward from the juncture of the road leading from the Village of Revloc with said Benjamin Franklin Highway, along said highway for a fisted distance of twenty one hundred twelve feet.

That said piece of road would materially shorten the distance for persons traveling to and from the north and northeasterly portion of the county to Revloc, Belsano, Indiana and other points west.

That whereas the said Benjamin Franklin Highway between the Village of Revloc and the Borough of Ebensburg is now being reconstructed and the alignment thereof changed the general traffic between Revloc and Ebensburg will be very considerably interrupted and a detour required between said points for the convenience of mail carriers, school busses and traffic generally; which saidmnew road as herein petitioned for will afford.

. Your petitioners therefore pray your honorable Court to

appoint three members of the Permanent Board of Viewers of Cambria County to view the site and determine as to the necessity for said proposed new road and if they shall find there is occasion and necessity therefore that they shall proceed to lay out the same according to law, between the terminii specified, and report their findings to your honorable Court in accord with the Act of the General Assembly and the supplements thereto in such case made and provided.

And they will ever pray &c.	
Ita/ Cenglehari	John P. Bloom,
I.R. Meaver	a Iflia.
Thomas Phillips	Edward Siber
James W. Brown	John Elder
Reny Mask	Chas L- Grave
Giossa Charce	The allenna
Leth Stephens	Hanyselig
Theom Evano	allet Tuman
Mike Capke	
Samuel Evans	

State of Pennsylvania

20

County of Cambria

James W. Brown being duly sworn according to law deposes and says that the facts set forth in the foregoing petizion tion are true and correct according to the best of his knowledge and belief.

Sworn ansd subscribed to before me this 2 n L day of March A. D., 1938.

J.R. Theaver

MY COMMISSION EXPIRES 1st MONDAY OF JAN., 1944

### DECREE

And Now, Mull-1938 the foregoing petition having been read and considered, it is ordered that Mull-1846. They low of the Permanent Board of Viewers of Cambria County, be and hereby are appointed to view and report on the above matter, according to law.

By the Caux

In re; Proposed Public Road in Cambria Township, Cambria County Pennsylvania.

In the Court of Quarter Sessions of Cambria County, Pennsylvania, No. 6, March Sessions, 1938.

### REPORT OF VIEWERS

To the Honorable, the JUDGES of the above named Court, we, the undersigned VIEWERS, appointed by the annexed order of the Court to view the proposed road within mentioned, respectfully report:

That we have been duly sworn or affirmed as members of the Permanent Board Of Viewers of Cambria County, as shown by the Court records; that having given due public notice of the time and place of meeting, by posting notices at the terminals and along route of proposed new road, a copy of said notice being made a part of this report and served on the Commissioners of Cambria County; That we met in accordance with notice given on the 27th. day of June, at IO.30, A. M. and proceed with the duties of our appointment, viewed the premises and the route of the proposed new road and heard the opinions of the taxpayers assembled for and against the prayer of the petitioners. Survey map and data attached and made a part of this report.

The Viewers were of the opinion that the situation present justified a public hearing where both sides could be heard under oath and served notice that a public hearing would be held in Court room No. 4 in the Court House on the morning of July 9th. at Nine o'clock to take testimony. This meeting was well attended but it was remarked that those who were loudest in opposing the granting of a new road were not present. The burden of the opposition to the new road was to the effect that the proposed new road would be chiefly a convenience for a large number of workmen going to and from the Revloc mines and an unneccessary addition to the burden of the taxpayers.

The petitioners presented a list of those who passed over the proposed new road on the day before this hearing and which is made a part of this report. One property owner and dairy operator told of having kept the road open, replacing a bridge washed out by the flood while the public continued to drive through his farm, and of the necessity to his farm and dairy business. This dairy farm and a new residence now under construction made evident the actual need of an outlet apparent.

The VIEWERS carefully considered the evidence submitted and granted the prayer of the petitioners.

The new road will traverse the course of the township road vacated many years ago, before the village of Revloc was heard of, and because no additional land will be taken and no damage involved grants the prayer of the petitioners and assesses no benefits or no damages to abutting property owners.

July, 25th. 1938

- James Ma Caren.

Stepeners.

VIEWERS.

The lines, directions and distances , as further detailed by the map hereto attached and amde a part of this report are as follows:-Beginning at the north-easterly termine on the Ebens burg- (arrolltown agad in sit State Highway Route no. 219, and extinding Thence horth 15 Degrees cominges West 34.3,5 flet along and through the primises of Stanton Evans and to a fourt on land of the estate of Jane Evans, deceased, Thence continuing through said Evans estate Sout 87 degrees 15 minutes West 299 feet; South 73 degrees 10 minutes West 317 feet, South 55 degrees oo West 270 feet, South 29 degrees or munites Whesh 384 feet, and South 27 degrees 40 yunter West 337.4 fut, Theree Through and over land of Jeth Stevens South 42 degrees or minutes West 556 feel, South 45 degrees on minutes This 527 feet, South 69 degrees

45 degrees or micete This 527 feet South 69 degrees of The Black lick Creek, Thence South 68 degrees to minutes West 455.2 feet and South 45 degrees 50 micetes West 455.2 feet and South 45 degrees 30 micetes 226.7 feet, Thence Continuing Through land of the Monroe Coal Company South!8 degrees 00 minutes West 63! 6 feet, South 25 degrees 10 minutes That 209.8 feet; South 4 degrees 30 minutes That 176.5 feet and South 10 degrees 00 West 373.5 feet to the northerly side of the Buyamus Frank his Highway Boute Mo. 422, being the South Testaly Termine of the proposed New Road as indicated report We order of the Court and the dright which is herete attached and middle a part of this report,

In re:- Proposed Public Road In Cambria Township, Cambria County Pennsylvania. In the Court of Quarter Sessions of Cambria County, Penna.
No. 6, March Sessions, 1938

### NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court, to view the premises and determine as to the necessity for a Public Road, as prayed for by the petitioners, beginning on the improved highway leading from Ebensburg to Carrolltown, at a point on said Ebensburg-Carrolltown roadlocated by measuring along said highway from the intersection of Julian Street with Highland Avenue, in the Borough of Ebensburg; in a westerly and north westerly direction eight thousand five hundred and eight feet, to the north easterly termini of said proposed new road; said point and leading from thence in a general south westerly direction for approximatelyone and one tenth mile to a point on the Benjamin Franklin Highway; being the south westerly termini of the proposed new road, said point of ending being located by measuring eastward from the juncture of the road leading from the Village of Revlocwith the said Benjamin Franklin Highway, along said highway for a distance of twenty one hundred and twelve feet.

That said piece of road would materially shorten the distance for persons travelling from the north and north easterly portion of the county to Revloc, Belsano, Indiana and other points west.

That wheras the said Benjamin Franklin Highway between the Village of Revloc and the Borough of Ebensburg is now being reconstructed and the allignment therof changed the general traffic between Revloc and Ebensburg will be very considerably interrupted and a detour required between said points for the convenience of mail carriers, school busses and traffic generally; which said new road as herein petitioned for will afford.

The Viewers will meet at the above designated place of beginning of the proposed new road on the twenty seventh day of June, 1938, at 10:30 a.m., Standard Time, for the purpose of performing the duties of this appointment at which time and place all persons interested should be present.

June 17th, 1938,

Louis E. Kaylor S. H. Jenks James McCann,

VIIWERS.

No. 3-Plain Affidavit-Mountaineer-Herald Print, Ebensburg, Pa.



## Commonwealth of Pennsylvania, SS:

nuesred before me					1938., personally
foresaid county, du	ıly authorized	to administer of	aths,T.L.Al	temus and l	Albert Kinnar
		***************************************	wh	o being duly	sworn
ecording to law, do	th depose and	say that	the attache	d Traffic	Survey is
correct and t					•
	***************************************		· · · · · · · · · · · · · · · · · · ·	XMON844MX	Z##X#.Z
		·	•		
					•
		******************************			······································
					***************************************
		*******************************			
SWOKN to a	und subscribed	I before me this	s \	00.	
	und subscribed		· ) 0/2	Altr	
SWOKN to a	und subscribed	I before me this	· ) 0/2		

### **AFFIDAVIT**

TAKEN BEFORE

and you Where use This Road When number The 422.15 4 4 70 C. Lily 466 C glitzen yes. 14788 carltown spanger yes. 25934 1541 4 Spangella 64408 exiltarion 23748 Carltonia 60581 spangeler yes. yes. 3/14 Africales 25th 3-3.450 ... Carlloune yes 29366 Minsturg Carltum \$2356 Minsturg 3/11 \$244 Carlings 3/11 5-14 E O Hastings 3/11 \$0881 Barnstone 3/14 on 9933 Carltonin yes F2375 Hardings 344 E81599 Shinsking 344 77595 Edmodernes 344 11222 Harton Elanchus 25099 24/AT Comme To R9703 glidge RD 938VI Exercising g CIOI Company To 350H7 Castin Te 9K721 Elensturg Ebensture 2202. Camera TC Q B.855 yes. 20099 Cambrie TC yes. zu. 69262 patric

ild you Whore Ticense use This Rood When From mber | The 422;15 open 55149 Carltour 13.02 8AM37 UE 913 alcon Eliensfurg. Parlitanun.  $\mathcal{D}_{\mathcal{P}_{i}}$  . . 167M5 Carlina TC 00,258 Country TE 46754 949L Mis. Eliensburg ist.ca Sandra T.C. 560K9 Cambra T & ues. 27013 Cambra TC 21 Ca. 29190 Lica. G-D591 98541 931A8 E. benzburg yes. Creasing non Cambra TC 9400 1084M4 yes Biomston 9697N VV 409 R5A55 Elenshing 21 don't tourne alle yes. Dukons 67-803 Jest . Hornabora! KJHL G157. Rex.Coop 41708 2/12 Elima Elma yes 451BS Lettre Ebenelurg ates Cambra TE 116: 52891 FZZZ1 21-60 Calcum Sec. GK307 Chen burg 2150, 704105 70P41 Cheinling. yes Ratton NY yes. 195156 HV751 74N26 STEE Elienturg yes

uid you Whore Ticense use This Road When From number The 422,45 oren 58149 8AM37 U@ 913 Carltour 11:1 Eliensburg of car Par Ptenum Wi. 167M5 Cambra TC Will. CO 250 Cornlina IC 46754 149L 2/12 Eliensburg afea Cambra TC. 500人9 Campbra T & yea. Cambra TC 27013 2100 2919C 112 G-D591 98541 831A8 E-henslurg uses. crecann man Cambra TC 1084MH Barnelona yes ... 9697N W 409 Elensburg. 21 x Ac PSAJ5 GHB03 Wes. 型は人のかっ yes 1.21 Bornstore yer. Alen Lock Elimating 3152 Lettre y ce afer. Cleenylvery Cambra TE 1/ed. Bendich 21-22. Calcian yer. GK307 Chendurg Ulla. Eliandung. yes JUP41 Patton yes .. 125156 Wed. Elenchurg yea

5 867 M1 UN 202. 161.R9 44282 88070 30B29 63A66 DM145 ML763 minetal lines. 85.69 Mi J. 142 Ely Blumestono. U 14 34. OB C405 NR323 511.21. &U.6.A.48. NR 332 Lilly 11-6188-4.8.180 926R6. 492 go. him Umbrian

Lucima ms. 741115 Ebin string mo Yeo Laboratowak. 2 D98 240E1 UE\$ 52 1/2811. Chenoling F 2375 Colver. 605R1. Chensburg 2 5934 Cambria Tup Mentral 518Pb Eben slung LK21 Johnstown R5K17. Poston. 4 K86 90841 Eten sburg Carlolltown 08/80R 527UI Chen Shong Mes 3HC95 d R/19 Chen Shul 80180 Cambria Tub. 19229 . Chen Chance 1 710 60951. Dun con Iville Revloc 364E4 Neo GK54 Mundy Corner Parlesbora. 8992H "St Boniface 301K2 les. 216M9 - U.F 119 Revloce 76661 Chensburg 446W2 Patton mo Manty Low H5474 Consoll town 894 #4 reo 78744 Then shing

Countral TO gus 11.22 Ebensturg Rentoc 1.62 Phenoling. Cambra TC yes yes Bershung. 56735 Campbra TC 5089H 00882 3234P EV412 GR681 yes ofer myes EF25. yes yes 6392 Elienshira Revloce: Hes.

Revoc VA919 Revloc 11F231 HL-585 69813 gies Boarnebaro Rentoc Lales man ges ges Revloc. Eyes AA633 R9435 rjes Revloc Eliensburg Gohnstown Revloc Eliensburg 9509 offer T8242 3DR19 Medu 468R9 Ebensburg Eresson Cambra TC 113756 1099 1099 02499 res Cambra T yes. 94511 Patton NOS34 91471 Cambra T.C. us lea Chemberry Wes ases benoburg E bensling es. Pation بنصصير Patton Campra T C Ebensburg 911025 GE 332 Cambra Te.

wid you rich e Where use This From - Road When number The 122.15 open 27575-Flankura Sec. camprid TC. 3/4926 27.51 5-3415 Bankelone 0100. ES 445-Revetac. enca. Summerhill 3.258. 7876 Rentol. 143 174R7 Remlos R634 P Cambra. TC. Men. DP433 Ebenseurg. uco. Elenaburg. B2197 oses folson stown. 120351 wed. Cambra. TC *| アノドフ* yes: 40867 altona. Eles-Floorsburg Eges. 69 2R.S. 36 4/2 Ebensburg. aces. Cambria FC nes. 6727A nes 46 499 Chemobying 8526 6 It Benedit (Maso Elenturg. GE 460. Berlow 1 5 B549 to ben stung セレ171 U43 Jb. 21351 ambria Two Ayes 977M9 Bornestork yes Revloce 04771 you ( 6370 D Chin sturg. 79654 Efensburg 417 M8 Portaged 98 M4 Chinsburg 143 15 altonal ULL

are This vice e where Road When humber The 42215 open Ajes Eliens Lucio 26115 Carltown yes Alinton Elender 3. nes Residen. 12/20 Bornistora Denadest Mes. 926R6 nes. Settletzin Carson ries Rese. Rjer HOZ H Hastines mo Portage Botton lienoling. 471.4 2/00 Billy Nothing & 9102 Sellitzin 9110 1. 18 1. 10 Carreltown nacon 11:20 Chensterry ed) 0 Corrolltown afrai 1/ City Cheristana gles JG 637 58065 9/02-Ebenofing. Tes

Residence Liens - Charles 10 ingut RD# 2 Ebensbut Heiston 58140. Revlac. H3529. Rever. R943Z 7.75 914 Indias 12998. Pattin. 8 4549. 12835 .632 B, Belverale 291351 Ely. Portage 32012 8 SY17. Shistings 8 63K 6. ()83A29, 1965 E Heo. 714956. talton. 4DN43 Johnstown. R8006 no. R7E09 EL 7:30 Janty Islo. Sozaz. 37 N 41. Patton 11967 KZ814 Falleratimber Bolivar 12328. Elinalung E9135. 🗯 Kewlow Z1974 OYP 55 Correlltown Bakerton 7 K45 YAB 27 ZL121. 628.48

Patton CE. 264. Bakerton 61250 884m3 45.V55 Revoc 9.6076. 648 U.T Elen sburg 23744 RS A 516 61 8 64 180P9 72592 Cambile Two 196K5. GG 769 KR604 St Benedist VV853 GG 76. Chenoly ung 824 A3 70431 20008 Bakentown 2003 FE 685 Canalltown Road Bakeston 889H2 Sidma 36 205 VF419 Portage. CE 580 UIC91 61Z99. 99 F 96 () I.HKI6 85 A 76 1FC19 78395 JL262.

O 18464 RV350 bese 91441 821391 Ferlow UF 119. 7-P499 Rever JS 186 yes, alverda. 29 V7 8P221 Lelwon Ebensturg Revloca PH326 Carrolltown 61823 Revloc. n R746 29321. Kenlos 362 M2. Escal. VC962. Carrolltown sea! Zeo sir. heroloc

Am. 6 7 Pm. Land

To James Melan X 72.00 Attending View I day 4.20 CERTIFIET attending Hearing I day 1200 CHUNTY MATRIAL POR 360 36 miles #31.80 PPROVED FOR PAYMENT Sillian D. The

### County of Cambria

To S. H. Jencks -		Dr.
Day on View		\$12.00.
Six miles at 10 cts. per mile	-	.60.
Hearing testimony -	-	12.00.
Survey, plotting and draft -	٠ ــ	18.00.
Two chainmen at \$1.50 each		3.00.
Tracing cloth 30¢, two blue prints 6 60¢ each	<del>-</del> {	1.50.

In re; Proposed Public Road in Cambria Township, Cambria County Pa.

In the Court of Quarter Session of Cambria County, No. 6, March Sessions, 1938.

County of Cambria

To Louis E. Kaylor, Dr.

One day on View	\$12.00
Six miles at IOc	60
Preparing Notices, posting and serving same	12.00
Hearing to take testimony at Court House,	12.00
One fourth day on survey, and mileage.	<b>3.6</b> 0
One fourth day on survey, and mileage. Preparing data, making and filing report	12.00
	\$52.20

Lillian D. Keller

NO shall be the duty of all persons appointed in the several counties of the Commonwealth to view and review any public or private road or bridge, if they shall decide in favor of locating said road or bridge, to endeavor to procure from the person or persons over whose land such location may be made releases from all claims for damages that might arise from the opening of such road or the building of such bridge; and in every case where said viewers shall fail to procure such releases, and it shall appear to them that any damages will be sustained, it shall be their duty to assess the damages and make report thereof signed by a majority of their number, and return the same, together with all releases obtanied, to the Court of Quarter Sessions, and the damages so assessed shall be conclusive, or may be subject to appeal, review or modification, as may be provided by existing laws in the different counties of this Commonwealth."

"The persons appointed as aforesaid shall view such ground, and if they shall agree that there is occasion for a road, they shall proceed to lay out the same, having respect to the shortest distance, and the best ground for a road, and in such manner as shall do the least injury to private property, and also be, as far as practicable, agree-able to the desire of the petitioners."

"The viewers, as aforesaid, shall make report at the next term of said Court, and in the said report shall state particularly: First, who of them were present at the view, second, whether they were severally sworn or affirmed; third, whether the road desired be necessary for a public or private road; they shall also annex and return to the Court a plot or draft thereof, stating the courses and distances, and noting briefly the improvements through which it may pass; and, whenever practicable, the viewers shall lay out the said roads at an elevation not exceeding five degrees (except at the crossing of ravines and streams), where, by moderate filling and brieging, the declination of the road may be preserved within that limit."

1938	·				View	/ers	
19 Sessions, #	Lic Road	e i	ş	933			8
	sed Public	p. Cambri	Je Je	6			
March	Proposed	Townsbip	of an	a a	Kaylor icks	e ui	
Ī	to view	bria.	fred	7	· 运	s McCann,	
908	Order t	in Cam	· B	17	Louis S. H.	Летов	Clerk

12 Sept. 1938 Egyproved auch breachthe fixed
firty feet By the Court
Wokenrier
12 Dec 1938 Confirmed absolutely
Junjane

# Commonwealth of Pennsylvania, County of Cambria.

said County, on the 8th	day of June	A. D. 19238 , be-
fore the Honorable Judge of the said Court:	Upon the petition of dive	rs inhabitants of the Township
of Cambria, in the	said County, setting fort	h that they labor under incon-
venience for want of a public		road or highway, to lead from
Beginning on the improved highway le		•
point on said Ebensburg-Carrolltown	road located by meas	uring along said highway
from the intersection of Julian Stre	et with Highland Ave	nue; in the Borough of
Lbensburg; in a westerlyAdirection'e	ight thousand five h	undred eight feet, to the
north easterly termini of said propogeneral south westerly direction for	sed new road, and le	ading from thence in a
point on the Benjamin Franklin Highw	av: being the south	Westerly termini of the
proposed new road; said point of end	ing being located by	measuring eastward from
the juncture of the road leading from	m the Village of Rev	loc with said Benjamin
Franklin Highway, along said highway feet.	for a distance of t	wenty one hundred twelve
That said piece of road would	materially shorten t	he distance for persons
traveling to and from the north and	northeasterly portio	n of the county to
Revloc, Belsano, Indiana and other p That whereas the said Benjamin		
loc and the Borough of Ebensburg is	rrankiin nignway be n <del>ow being reconstru</del> c	tween the village of keve
thereof changed the general traffic	between Revloc and E	bensburg will be very
considerably interrupted and a detou	r required between s	aid points for the con-
venience of mail carriers, school bu road as herein petitioned for will a	sses and traffic gen fford	erally; which said new
Yourxpekikieneraxihenelenexpk	urxraurxhanarebinxeb	wkixka
•		
		• • • • • • • • • • • • • • • • • • •
and therefore praying the Court to appoint pr	Other Therecano to minus	and loss out the second of
•		
to law. The Court, upon due consideration he	rd of the premises, do ord	er and appoint
Louis E. Kaylor	9117.10	eyor, and
S. H. Jencks and James McCann		•
•	egid wad and if the	view the same, and shall
agree that there is occasion for such road, they		
shortest distance and the best ground for a ro		
private property, and also be us far as practice		
they make a report of their proceedings to the		
stating particularly whether they judge the so		
a plot or draft thereof, and the courses and	listances, and references	to the improvements through
which it may pass.		

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the

My the Court.

McKenrick, J.

Attest:

Other Cler.

\* \*\*

SELE WOOLS OF STATE O a cont Improved land. Seth House Bown. E Monroe Coal Co. port. north Branch Blacklick Creek. Seth Stephens. Farm Seth Stephens. Farm land. Flot or draft showing the location of a proposed public road as laid out over a private road; open over thirty years; now recommended by the viewers for a public road between the point of beginning, on Route 219 and the point of ending on Route 422: the location of said terminal being more specifically designated on the order of Court attacked to this report. Viewed upon an order of the Court of David E. Quarter Lessions of Cambria County, entered to no.6. March dessions, a \$, 1938 Louis E. Kaylor, S. N. Jenkks. James McCann Oiewers! Stanton Evans. State Roule north lasterly 70, 219.

Comminication on order of Court Do Carrolltown.